

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

RICHARD BOWIE,  
Plaintiff

v.

SPECIALTY ELASTOMERS  
HOLDINGS, INC.  
Defendant

Case No.  
03-CV-12279-RWZ

**MOTION TO ENLARGE THE TIME FOR RESPONDING TO THE  
PLAINTIFF'S COMPLAINT**

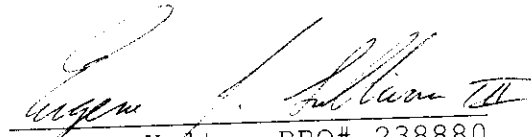
Pursuant to Fed.R.Civ.P. 6(b), the defendant, Specialty Elastomers Holdings, Inc., moves the court to enlarge the time for filing an initial pleading or otherwise responding to the plaintiff's complaint until December 5, 2003. In support of this motion the defendant states that:

- 1.) This action was initiated by the plaintiff, Richard Bowie, in the Superior Court Department of the Trial Court, Bristol County, Commonwealth of Massachusetts.
- 2.) On October 17, 2003, the defendant was served with the summons and complaint in this matter through its agent for process in the State of Delaware.

- 3.) The defendant is a foreign corporation, incorporated under the laws of the State of Delaware and with its principal place of business in the State of Illinois.
- 4.) On November 17, 2003, the defendant filed a notice of removal, pursuant to 28 U.S.C. §§ 1441 and 1446, with this court.
- 5.) Fed.R.Civ.P. 81(c) requires the defendant to file an initial response to the plaintiff's complaint by November 24, 2003.
- 6.) The defendant moves the court to enlarge the time for filing an initial pleading or otherwise responding to the plaintiff's complaint until December 5, 2003.
- 7.) The defendant requests the enlargement in order to formulate an appropriate response to the plaintiff's allegations.
- 8.) Counsel for the plaintiff has consented to extending the time for filing an initial pleading or otherwise responding to the complaint until December 5, 2003.
- 9.) By filing this motion, the defendant does not waive any affirmative defense,

including its right to contest and deny  
the court's power to exert personal  
jurisdiction over the defendant.

Respectfully submitted,  
Specialty Elastomers  
Holdings, Inc.,  
By its attorneys,



Norman Holtz, BBO# 238880  
Eugene J. Sullivan III,  
BBO # 656497  
GILMAN/ HOLTZ, P.C.  
25 New Chardon Street  
Boston, MA 02114  
(617) 720-2663

[of counsel]

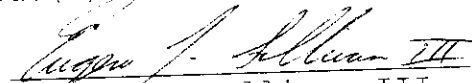
Jessica Lee  
Jerry Meade  
GIBSON, DUNN & CRUTCHER LLP  
1801 California Street, Suite 4100  
Denver, CO 80202  
(303) 298-5700

Dated: 24 Nov 03

Local Rule 7.1(A)(2) Certification

I hereby certify that I have conferred with  
counsel for each other party and have attempted to  
resolve or narrow the issue(s) raised by this motion.


Dated: 24 Nov 03

  
Eugene J. Sullivan III

Certificate of Service

I hereby certify that a true copy of the above  
document was served upon the attorney of record for  
each other party by mail.

Dated: 24 Nov 03

  
Eugene J. Sullivan III



GILMAN/HOLTZ, P.C.  
LAWYERS  
25 NEW CHARDON STREET  
BOSTON, MASSACHUSETTS 02114

MICHAEL C. GILMAN  
NORMAN HOLTZ  
EUGENE J. SULLIVAN III  
ROBERT J. VAN CAMPEN

TELEPHONE (617) 720-2663  
FACSIMILE (617) 720-1574  
lawyers@gilmanholtz.com

November 24, 2003

Office of the Clerk  
United States District Court  
District of Massachusetts  
1 Courthouse Way  
Suite 2300  
Boston, MA 02210

**BY HAND**

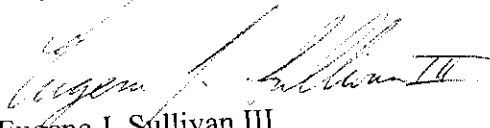
Re: Bowie v. Specialty Elastomers Holdings, Inc.—Case No. 03-CV-12279-RWZ  
Motion to Enlarge

Dear Sir or Madam:

Pursuant to Fed.R.Civ.P. 6(b), please find enclosed the defendant's motion to enlarge the time for responding to the plaintiff's complaint.

Thank you for your attention to this matter.

Very truly yours,



Eugene J. Sullivan III

cc: Charles A. Murray III, Esq.